

## REMARKS

### I. Introduction

Claims 1, 4, and 6-17 are pending in the application. In the final Office Action dated March 17, 2010, the Examiner objected to claim 1. Additionally, the Examiner rejected claims 1, 4, 6-9, 12, and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,280,527 (“Gullman”) in view of U.S. Pat. No. 6,014,666 (“Helland”) and rejected claims 10, 11, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Gullman in view of Helland and U.S. Pat. No. 5,805,719 (“Pare”). In this Amendment, Applicants have amended claim 1.

### II. Objection to Claim 1

In the Office Action, the Examiner objected to claim 1 and requested that the element “without assistance from an operating system of the host device” be amended to recite “without any type of management from an operating system of the host device.” Applicants have amended claim 1 to recite “a processor for comparing said request to said at least one permission, the comparison being independent requiring no management by an operating system of the host device.” Applicants request reconsideration in light of the amendments to the claims.

Additionally, Applicants disagree with the Examiner’s assertion with respect to claim 1 that the element “a processor for executing at least one instruction and for comparing said request to said at least one permission without any type of management from an operating system of the host device” is not supported by the specification. On at least page 3 of the present application, it is described that resources are provided such that the management of the memory of the storage device is performed at the device level, rather than requiring management by an external operating system, such as the operating system of an external computational device. Further, on at least pages 11-12 and Fig. 2 of the present application, biometric authentication devices (element 28) are described which are part of an active data device (element 16) that is distinct from the host. It is these biometric authentication devices that may be utilized to grant a user permission to access requested data without management from an operating

system of the host device. (See at least steps 7 and 8 on page 14 of the present application).

### **III. Rejections Under 35 U.S.C. § 103(a)**

Independent claim 1 recites a removable storage device comprising “a processor for comparing said request to said at least one permission, the comparison being independent, requiring no management by an operating system of the host device, such that if said at least one permission includes a particular access type that matches the access requested in said request, such access to the flash memory is provided, and alternatively if said at least one permission does not include a particular access type that matches the access requested in said request, such access to the flash memory is denied.” The proposed combination of Gullman, Helland, and Pare fail to teach this element.

Gullman is directed to a biometric token for authorizing access to a host system. Generally, Gullman teaches a security apparatus that receives a biometric input from a user and compares the received biometric input to a stored template. The security apparatus generates a token based on a determined correlation between the biometric input and the stored template, and provides the token to the user. The user then provides the generated token to a host system, which determines whether to grant the user access to the host system based on the received token.

Gullman does not teach a removable storage device comprising a biometric interface for receiving a request to access a flash memory of the removable storage device. Gullman also does not teach a removable storage device comprising a processor for comparing a request to at least one permission, the comparison being independent, requiring no management by an operating system of the host device, such that if the at least one permission includes a particular access type that matches the access requested in the request, such access to the flash memory is provided, and alternatively if the at least one permission does not include a particular access type that matches the access requested in the request, such access to the flash memory is denied. In Gullman, it is the **host system** that determines whether to grant a user

access to the resources of the host system based on a received token rather than a processor of a **removable storage device** that grants a user access flash memory independently, requiring no management by an operating system of the host device as in claim 1.

Helland is directed to declarative and programmatic access control of component-based server application using roles. In the Office Action, the Examiner cites col. 5, line 55 – col. 6, line 5 and col. 6, lines 13-27 of Helland for teaching a universal serial bus, a USB controller, a flash memory, and a flash memory controller. Col. 5, line 55 – Col. 6, line 5 of Helland teach that a server may include components such as a hard drive, magnetic disk drive, optical drive, flash memory cards, and/or Bernoulli cartridges that provide storage for the server. Col. 6, lines 13-27 of Helland teaches that a user may enter commands and other information into a server through devices such as a keyboard and mouse that communicate with the server over a universal serial bus.

As with Gullman, the cited portions of Helland fail to teach a removable storage device comprising a biometric interface for receiving a request to access a flash memory of the removable storage device. The cited portions of Helland additionally fail to teach a removable storage device comprising a processor for comparing a request to at least one permission, the comparison being independent, requiring no management by an operating system of the host device, such that if the at least one permission includes a particular access type that matches the access requested in the request, such access to the flash memory is provided, and alternatively if the at least one permission does not include a particular access type that matches the access requested in the request, such access to the flash memory is denied.

Gullman and Helland, alone or in combination, fail to teach a removable storage device comprising “a processor for comparing said request to said at least one permission, the comparison being independent, requiring no management by an operating system of the host device, such that if said at least one permission includes a particular access type that matches the access requested in said request, such access to the flash memory is provided, and alternatively if said at least one permission does

not include a particular access type that matches the access requested in said request, such access to the flash memory is denied.” The cited portions of Pare also fail to teach these elements. For at least this reason, amended independent claim 1, and any claim that depends on claim 1, is patentable over the combinations of Gullman, Helland, and Pare contemplated by the Examiner.

#### **IV. Conclusion**

In view of the amendments to the claims and the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

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